

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

JAMES E. SWARTZ,	)	Case No. 1:07CV1208
	)	
Plaintiff,	)	
	)	
-vs-	)	
	)	<b>O R D E R</b>
MICHAEL J. ASTRUE	)	
Commissioner of Social Security,	)	
	)	Judge Christopher A. Boyko
Defendant.	)	
	)	

**CHRISTOPHER A. BOYKO, J:**

On April 24, 2007, Plaintiff filed a complaint pursuant to Title 42 U.S.C. Section 405(g) and or 1383 (c)(3) (Dkt.#1). This matter was referred to the Magistrate Judge pursuant to Local Rule 72.2 (Dkt. #4). On December 12, 2007, the Magistrate Judge recommended that this case be reversed and remanded for further proceedings (Dkt. #14).

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service. Defendant does not object to the Report and Recommendation of the Magistrate Judge. Any further review by this Court would be a duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Magistrate Judge's Report and Recommendation is **ADOPTED** and the decision of the Commissioner is reversed and remanded to the Social Security Administration for further proceedings.

IT IS SO ORDERED.

*FILED*

JAN 04 2008

CLERK OF COURTS  
CLERK'S OFFICE, N.D.O.

*Christopher A. Boyko*  
CHRISTOPHER A. BOYKO  
UNITED STATES DISTRICT JUDGE